

Amendment No. 1 to SB2705

Cohen
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2705

House Bill No. 2526*

by deleting the amendatory language of SECTION 1 and substituting instead the following:

(l)

(A) If the governor of Tennessee declares an emergency in response to a catastrophic or major disaster, voluntary health care providers, including hospitals and community mental health care centers, participating in the Emergency Management Assistance Compact or Southern Regional Emergency Management Assistance Compact are immune from liability in providing such health care to victims or evacuees of such catastrophic or major disaster as long as such services are provided within the limits of the provider's license, certification or authorization, unless such act or omission was the result of gross negligence or willful misconduct.

(B) If additional medical resources are required, the governor, by executive order, may provide limited liability protection to health care providers including hospitals and community mental health care centers and those licensed, certified or authorized under titles 33, 68 or 63, and who render services within the limits of such license, certification or authorization to victims or evacuees of such emergencies, provided however that such protection may not include any act or omission caused by gross negligence or willful misconduct.

(C) The duration of such protection shall not exceed thirty (30) days, but may be extended by the governor by executive order for an additional thirty (30) days if required to ensure the provision of emergency medical services in response to the catastrophic or major disaster.